

PTO/SB/21 (05-03)

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	<b>Application Number</b>	<b>10/766,738</b>	
	<b>Filing Date</b>	<b>January 27, 2004</b>	
	<b>First Named Inventor</b>	<b>Roland HENGERER</b>	
	<b>Art Unit</b>	<b>Not Yet Assigned</b>	
	<b>Examiner Name</b>	<b>Not Yet Assigned</b>	
<b>Total Number of Pages in This Submission</b>	<b>5 w/ 5 Ref</b>	<b>Attorney Docket Number</b>	<b>426882007800</b>

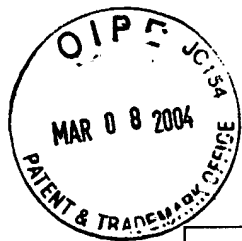
<b>ENCLOSURES (check all that apply)</b>		
<input type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment/Reply  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input checked="" type="checkbox"/> Information Disclosure Statement w/ Form PTO 1449 (4 pages)  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  <b>1. One copy of 5 cited references</b> <b>2. Return Request Postcard</b>
<b>Remarks</b>		

<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>	
<b>Firm or Individual name</b>	<b>MORRISON &amp; FOERSTER LLP Robert E. Scheid – Reg. No. 42,126 (Customer No. 20872)</b>
<b>Signature</b>	
<b>Date</b>	<b>March 3, 2004</b>

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: March 3, 2004

Signature: (Leah M. Kjellén)



PATENT  
Docket No. 426882007800

**CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"**

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Leah M. Kjellén

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the application of:

Roland HENGERER

Serial No.: 10/766,738

Filing Date: January 27, 2004

For: DETERMINATION OF THE AGE,  
IDENTIFICATION AND SEALING OF  
A PRODUCT CONTAINING  
VOLATILE COMPONENTS

Examiner: Not Yet Assigned

Group Art Unit: Not Yet Assigned

**INFORMATION DISCLOSURE  
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicant submits for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents are also submitted herewith. The Examiner is requested to make these documents of record.

This Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☐ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114. However, if applicable, a certification under 37 C.F.R. § 1.97(e)(1) has been provided.
- ☒ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required. However, if applicable, a certification under 37 C.F.R. § 1.97(e)(1) has been provided.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
  - ☐ A fee is required. A check in the amount of \_\_\_ is enclosed.
  - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above; accordingly, no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a check in the amount of \_\_\_ is enclosed.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.)

Applicant would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein. The Japanese patent application JP 06018516 (item 1), was first cited in a Partial European Search Report (item 5) from a foreign patent office issued in a counterpart foreign application.

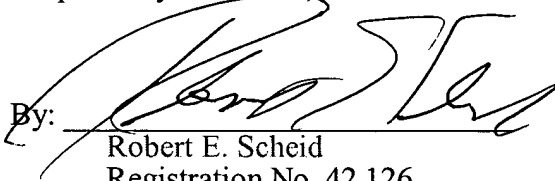
The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does

not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. §1.17(p)) is required, Applicant petitions for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing **426882007800**. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: March 3, 2004

Respectfully submitted,

By:   
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Registration No. 42,126

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Form PTO-1449

Docket Number 426882007800

Application Number 10/766,738

**INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION**

(Use several sheets if necessary)

Applicant

Roland HENGERER

Filing Date January 27, 2004

Group Art Unit Not Yet Assigned

Mailing Date March 3, 2004

**U.S. PATENT DOCUMENTS**

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate

**FOREIGN PATENT DOCUMENTS**

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO
	1.	1/25/1994	06018516	Japan, Abstract			

**OTHER DOCUMENTS**

(including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title
	2.	J. Hammond et al., "A semiconducting metal-oxide array for monitoring fish freshness", Sensors and Actuators, vol. 84, no. 2-3, 5/15/2002, pgs. 113-122.
	3.	A. Legin et al., "Tasting of beverages using and electronic tongue", Sensors and Actuators, vol. 44, no. 1-3, 10/1/1997, pgs. 291-296.
	4.	P. M. Schweizer-Berberich et al., "Characterization of food freshness with sensor arrays", Sensors and Actuators, vol, 18, no. 1-3, 3/1/1994, pgs. 282-290.
	5.	Partial European Search Report completed on 7/18/2003, for EP application no. 03354007.1 filed 1/28/2003, 3 pgs.

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.